

BELLWOOD SERVES NOTICE ON BOARD

Declares He Will Enter Suit in Federal Court if Curtis Is Sent Again to Dairy.

MAKES ANSWER TO DR. LEVY

Differences Arising Over Inspection Again Explained in Public Statement.

After consultation yesterday with his attorney, William L. Royall, the following statement was given out by James Bellwood, the Chesterfield dairyman, in answer to the interview from Chief Health Officer, which was printed in The Times-Dispatch yesterday morning:

"I have no disposition to engage in a newspaper controversy with Dr. E. C. Levy, and indeed my original statement was not volunteered, but was made at the request of The Times-Dispatch."

"However, I cannot allow Dr. Levy's statements in Sunday's Times-Dispatch to stand unanswered. I claim to have one of the very best and neatest dairies in Virginia, and my neighbors will all substantiate me in that statement."

"I claim also that the dairy inspector, Curtis, has been making partial and arbitrary reports upon my dairy which have done me the greatest injustice, and in every instance in which he has done me this injustice, he has been sustained by the Health Officer, Dr. E. C. Levy. I endured this until I became satisfied that it was Curtis's intention to destroy my dairy, which represents to me a large sum of money, when I consulted Messrs. Royall and H. M. Smith as to what were my rights under the law. After a full investigation they advised me that the United States courts would give me protection."

"On the 12th of Inspector Curtis, Dr. Levy has twice revoked my permit, and Curtis has invariably scored me down to a point that is only a little above the revoking point. On March 20, 1939, he came to my place and scored me 41, which was the point at which the permit is revoked. Fortified by the opinion of Messrs. Royall and Smith, I went on Wednesday last to the office of Dr. Oppenheimer, president of the Board of Health, and I requested him to take the full weight of my dairy, that the board might see for itself the injustice that Curtis had done me."

"Dr. Oppenheimer called up Dr. Levy on the telephone and together they arranged to postpone it until Saturday. I told him that I would not do that, they must come that day, or I would not leave the city without arranging for the commencement of a suit. About two weeks before that time I had told Dr. Oppenheimer and Dr. Levy, in the presence of Messrs. A. R. Scott, William Milam, A. Grant, H. C. Beattie, Deitrich and W. B. Davis, that I had employed counsel, and that unless I got relief I should go into the courts for protection. After my statement to Dr. Oppenheimer on Wednesday, he arranged with Dr. Levy and the board to come to my place that afternoon, and Dr. Oppenheimer, Dr. Levy, Dr. Gartin, Mr. Phillips and Mr. Curtis and a committee from the Virginia Association came to my place and this committee, at the request of Dr. Oppenheimer, inspected my dairy and scored me up to 74, although Curtis had scored me down the day before to 41.2, and this committee stated that they had scored me as low as possible, but the conditions being exactly the same as they were the day before."

"Mr. Stahl, the State Dairy Inspector, came to my place very unexpectedly to me, directly after one of the occasions when my permit was revoked, and he scored me 80, stating that he considered it a fair score."

"By common consent it was agreed that my dairy was perfectly satisfactory."

"I accompanied Dr. Levy to the electric car, and while we were waiting for it Dr. Levy stated to me, in the presence of a number of the gentlemen mentioned above, that Curtis would not come to my premises again, and I am informed by one of the gentlemen who was there that Curtis re-negated against this."

"Dr. Levy seems to intimate in his statement in Sunday's Times-Dispatch that he is under no obligations to keep Curtis away from my premises. Consequently I want to and do hereby notify him that if he will say that he intends to send Curtis to inspect my dairy again, I will begin proceedings in the United States court just as soon as the necessary papers can be prepared."

May Have Much to Say.

"I want to add that I don't propose to try my case in the newspapers, but if this thing does come to litigation in the courts there will be revelations in the way in which this whole milk inspection business is conducted that will be very embarrassing to the people of Richmond and Chesterfield. I am not so many milk drinkers in Richmond as there are now."

DIES OF INJURIES

Mystery in Accident Which Caused Death of Henry Spivey

Henry Spivey, the young Seaboard Air Line brakeman, who was injured Saturday afternoon near Chester, Va., died early yesterday morning at the Richmond hospital. The nature of the injuries sustained after being brought here, and from the first there was no death sentence of his recovery. Spivey, 23, was riding on the back of the train, with his head toward the fast approaching passenger train, when he was struck by a large hole was torn in the right side of his head, and it was this injury that caused his death. Officials of the railroad have made fruitless efforts to find out how the brakeman should have been in the position he was when killed.

It is thought that he was overcome by vertigo, and fell in the track. He was going South on a local freight train, and at the time of the accident had been sent back for two miles in search of a section master. One of the cars on his train had been derailed. He did not return and his train went on without him.

The remains were removed, soon after his death, to the home of a relative, William Harris, of 316 North thirty-third street. The body will be taken to Spivey's former home, in Jackson, N. C., for interment.

Leading Lady Maccabee



MISS BINA M. WEST.

MISS WEST HERE TO SEE MACCABEES

Local Prize Drill Team Will Perform, With an Address by Mayor To-Night.

In honor of Miss Bina M. West, of Port Huron, Mich., supreme record keeper of the Lady Maccabees of the world, the lady Maccabees will give a public reception at the Masonic Temple to-night at 8 o'clock. The feature of the entertainment will be an address by Miss West. Next to this in interest will be the manoeuvres of the prize drill team, under the direction of Major C. Gray Bossieux. The music will be furnished by the Northside Temple Orchestra and a quartet composed of Miss Irma Reams, Mrs. R. G. Duke, L. M. Mitchell and C. Gray Bossieux, accompanied by Albert T. August. There will also be a solo by Miss Reams and reading by Miss Bailey. The performance of the drill team is to be the climax of the performance.

Miss West arrived in the city Saturday afternoon and is registered at the Jefferson Hotel. She has traveled over most of the United States, and is one of the best known women in the world. Preceding her visit to this city—this being her first visit—her reputation as a writer and speaker, which will be sure to fill the room. This afternoon a large class will be initiated into the order at the temple, and representatives from each of the six hives of the city will exemplify the work under the supervision of Miss West and Miss England, State commander for Virginia.

The following will take part in the work: Past Commander Miss Colla Kass, Commander Mrs. Annie Blinn, Lieutenant-Commander Mrs. McCall, Chaplain Mrs. Florence Beddes, Sergeant Mrs. C. A. Brothers, Mistress of Ceremonies Miss Rose Mulre, Sentinel Mrs. Corby, Pickett Mrs. Jennie Robinson, Banner Bearers Mrs. Coburn, Mrs. Pendleton, Mrs. Wildbore and twenty-four guards from the various hives. All day Maccabees of the city are expected to be present at both meetings.

SAVED BY BILLIKEN

Ella Taylor Shoots Five Times at Suitor Who Threatened Her

Ella Taylor, colored, was arrested yesterday on a charge of attempting to commit murder, the object of her wrath being the man who formerly sought her hand and heart.

It seems that the man was just out of jail, and visited Ella's home to pay her back and work grudge. He felt he owed her. She was ready for him, and when he began to upbraid her and to threaten force she pulled out a gun and began shooting. The first shot took effect, for he has not been seen since.

Ella was saved, she believes, through the mediation of her Billiken, who smiled genially from his position on the mantel. Billiken, as the god of things as they ought to be, is the hereditary guardian of the home. Ella believed in his charm.

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BURKE TRIAL TO BEGIN THIS WEEK

Case Against Richmond Man Set for Hearing in Federal Court on Thursday.

HANSON TO ANSWER FIRST

Post-Office Clerk Charged With Stealing Letters Must Also Face Jury.

Judge Edmund Waddill, Jr., will preside over the April term of the United States District Court, which convenes in this city at 10 o'clock this morning. The docket is the longest and most interesting for many terms, and includes several cases of much local interest. The grand jury has been summoned, and several cases in which indictments have already been drawn will be tried.

Three local cases will be heard this week. The first to be called will be that against David C. Hanson, of 2008 Fairmont Avenue, who was arrested about a year ago for stealing letters containing valuable inclosures from the post-office, which he was employed as a clerk. There has never been a hearing of the charge; but it is claimed the letters were found on the young man's person. Hanson has a wife and child, and much influence is being used in his behalf.

He has been out on bail ever since the day after he was arrested, and as he had been in ill health for some time prior to the time he is alleged to have committed the crime, it is probable a plea of physical inability will be brought. Hanson secured another position of confidence soon after he was discharged at the post-office, and it is said he is doing well.

Frank Burke's trial, who was charged with stealing letters, while he was employed as Superintendent of Station B, on Church Hill, created a sensation, will come up for hearing on Thursday. Two days have been set aside for the case, as there are many interesting points, which will probably involve a lengthy argument between the Attorney Lewis and Harry M. Smith, Burke's counsel.

The former hearing lasted nearly a week, and resulted in a mistrial. Burke was arrested by a government inspector, who was trained by the source of the letters, by means of decoy letters. He was taken into custody while in a barber shop. Many witnesses will testify that the accused had been drinking heavily for a long time before he yielded to temptation.

John W. Donley, the sixteen-year-old Church Hill youth, who gained notoriety for himself as a member of an alleged gang of thieves who last summer robbed many persons who went on the Green's excursion, and who was arrested when in the act of rifling mail boxes in the post-office, will probably be tried on Saturday.

The Fair Oaks Case. An effort was being made to have the boy sent to a reformatory school, when the news came that he had been identified by the Buckroe Beach robberies. He was then given up to the federal authorities by his bondsmen, who at that time, thought best to have the more serious charge in a term in the Donley case. It is probable other charges against him will never come to trial.

Next week the case involving alleged revenue frauds, in which Cox and David E. Casper, of the Fair Oaks estate, in Henrico county, are accused, will be heard. Cox and Casper are out under a heavy bail bond, as it is said the government lost about \$140,000 from their alleged operations in selling more whiskey than they paid taxes on.

As to these cases, there are others of less interest, and many civil matters will be settled. It is probable that several new indictments will be brought in by the grand jury to-day.

ATTACKED BY PRISONER.

Man Confined in Death Chamber Wounded by Prison Deputies.

TRENTON, N. J., April 4.—David Speer and Albert Telsner, two deputies at the State prison, were badly cut about the head by a prisoner named Dominick Magano, one of six men confined in the death house.

Magano's outbreak was due to the taking away from him of a belt. He was making out of some yarn, which had become of such size that it was feared he might use it to commit suicide. Magano resented this because he was making the belt for one of his children. The prisoner was convicted of murder in the first degree in Union county, but a few days ago was granted a new trial.

possibility, as the long-suffering Mr. Monro explained. Still some of them could not see why, and grumbled threateningly about the manner of females, though they knew well when the start was made that there was no use to attempt to linger, no matter how excited they might get.

In the first place they must get back to the school-rooms, and then there are the tickets, which, like time and tide, wait for no man or woman. They take passage for Old Point on the Potomac about the morning at 7 o'clock. Breakfast will be served on the boat and dinner in the Chamberlain Hotel, where the night will be spent. Tuesday morning the steamer Southland takes them to Washington, where they will see the many sights of the capital and with that as headquarters will go to Mt. Vernon, Annapolis and other places. Then they go back home.

SOME MINOR ARRESTS.

George Tabb, colored, was arrested yesterday on a charge of assaulting Virginia Clarke.

Lee Baskerville, colored, was arrested on a charge of assaulting and wounding Beale Lewis.

William Adams, colored, was arrested on a charge of carrying a concealed revolver.

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RECONTRACT FOR ONE MORE YEAR

Council Finds That Municipal Lighting Plant May Be Long Delayed.

ROUTINE DOCKET TO-NIGHT

Public Hearing To-Morrow on Location of Battle Abbey in Monroe Park.

Although the Common Council meets to-night at 8 o'clock, the docket, while showing a vast amount of routine business, does not include any ordinance of general or popular interest on which final action is likely to be taken. The proposed bond issue for sewers and water mains recommended by three committees in joint session, will come up, but under the rules it will be referred to the Finance Committee. From that committee will come, with favorable recommendation, an ordinance increasing the nursing staff at the City Home Hospital. The Finance Committee has not yet acted upon the request of the school authorities for money for the erection of additional grammar schools to take the place of those condemned, and to supply the growing demands of the city. From the Committee on Streets will come a large number of allegations, for grading and paving sidewalks and alleys.

The Committee on Light will recommend a renewal for one year of the street lighting contract with the Passenger and Power Company, at \$4,750 a year, each, for the present lamps, as it is not expected that the municipal plant will be ordered until next spring. Although the plans for this plant were approved by both branches of the Council at their meetings last month, the Committee on Electricity has not yet acted upon proposals for its erection. The Committee on Street Cleaning is still hunting for a new crematory, for which \$10,000 was included in the annual budget, and will probably have no recommendation to make as to a contract. The special Committee on Collection of Delinquent Taxes has completed its work and will report two ordinances, one for the employment of deputies in the office of the delinquent tax collector, and the other for mailing notices to citizens when taxes become due. This committee will ask to be discharged. The special Committee on Investigation of the Settling Basin Floods will report an additional list of expenses, and ask to be discharged. The special Committee on Reclaiming the James River Free Bridge has not as yet anything definite to propose.

TAKE UP BATTLE ABBEY.

The final hearing on the question of placing Battle Abbey in Monroe Park will be held by the Grounds and Buildings Committee to-morrow night, when Judge George L. Christian, former President James C. Lee, Lieutenant-Governor Elyson and other members of the petition for the Confederate Memorial Association. While there is still much opposition in the Council to granting this site, it is believed that much of this will be withdrawn when it is realized that the building proposed is a small structure of monumental character, rather than a large auditorium, as was at one time proposed.

In the Council chamber to-morrow night the Special Committee on Changes in the Form of Government will report. The committee, headed by the Board of Aldermen V. M. Turpin, former President of the Common Council James Caske and former Mayor McCarthy. The discussion will be open to the public, and an opportunity will be given to others to outline their views on the present system of government and to propose remedies. Other committees for to-morrow night will be the Committee on Improvement of the James River and the Committee on Electricity.

SCOTTISH RITE MASONS

Rose Croix Degree Men to Celebrate With Banquet and Grand Night.

Members of the Scottish Rite Masons, who have attained the Rose Croix (eighteenth) degree, will celebrate the mystic banquet next Sunday morning at 8 o'clock, unless kept away by a conflict of schedules or absence from the city, all members of the Rose Croix must be present at these exercises.

The officers of the Scottish Rite Chapter No. 1, of the Rose Croix are: John Monro, wise master; Hay T. Thornton, senior warden; W. J. Francis, junior warden; Leon Wallace, secretary; Samuel Cohen, treasurer; Charles A. Neelbit, secretary; E. A. Barber, Jr., treasurer; W. S. Pellit, master of ceremonies; J. P. R. Jurgens, expeditor; J. H. Charles, assistant expeditor; G. Jeter, Jr., guardian of the temple; C. B. Fitzgibbon, tiler; Joseph F. White, organist, and Thomas F. White, and Frank W. Cunningham, musical directors.

THE WEATHER

Forecast: Virginia—Fair, warmer Monday; Tuesday partly cloudy; warmer in east portion; moderate to brisk east to south winds.

North Carolina—Fair, warmer Monday; Tuesday fair; moderate to brisk south winds.

Conditions Yesterday.

Richmond's weather was clear and warm. Thermometer at midnight, 50.

Conditions in Important Cities.

(At 8 P. M., Eastern Standard Time.)

Place. Ther. H.T. Weather.

Augusta..... 74 80 Clear

Atlanta..... 74 80 P. cloudy

Buffalo..... 40 40 Cloudy

Cincinnati..... 42 44 Cloudy

Davenport..... 42 48 Cloudy

Detroit..... 42 48 Clear

Hatteras..... 42 48 Clear

Jacksonville..... 72 82 Clear

Kansas City..... 78 84 Clear

New Orleans..... 70 80 Clear

Pittsburgh..... 50 62 Clear

Raleigh..... 60 68 Clear

San Francisco..... 74 82 Clear

Washington..... 54 68 Rain

Wilmington..... 54 68 Clear

Yellowstone..... 22 28 Rain

Miniature Almanac.

April 5, 1939.

High tide..... 5:43

Morning..... 5:43

Evening..... 5:30

Sun rises..... 5:51

Moon sets..... 6:35

Moon rises..... 6:35

Moon sets..... 6:35

Moon rises..... 6:35

Moon sets..... 6:35

Moon rises..... 6:35

Moon sets..... 6:35

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MAKE LOVE ON STAGE, THEN FIGHT WHEN THEY LEAVE IT

Stage Hand Tells Reporter That Some Stars Even Fool Themselves as Heart of Audience Goes Pitapat, but You Need a Policeman to Keep Them Quiet Afterwards.

"You people who sit out in front and hear your heart beat faster as these actors make desperate love to some swell-looking actress get the idea that the love scene has something of the real in it, don't you?" said the stage hand the other night to a reporter who watched him shift things about. "Well, you are wrong. Being stars, as such things go, they play the part to perfection. The man may work a few tears into his eyes, his voice becomes low and mellow, and the lady looks at him in such an appealing, beseeching way that it probably turns your head. There is nothing like it."

"But you ought to see them when the curtain is being drawn. That ten-minute scene is abridged just as I would shift this prop, and you see a swell. Are there any pleasant words? Well, hardly. Half the time they don't speak, and when they do there is a roughness about it, and then some stage folk are not particular about the language they use. I remember season before last when Charlotte Nilsson was here with 'The Three of Us', in which a man simply courted her to death. Then when the show was over they were dumb. The other fellow made you dizzy the way he acted."

"He threw everything into his words and looks, and then when the strain was over he said he was glad, that he hated to talk sweet to one he never spoke to off stage. I guess you know Polly was in love with the minister, and that the minister was in love with Polly, didn't you? Well, you have another think coming, but however much they may hate each other they certainly give you an exhibition that would make a boarding-school girl run off into a fit."

"One night while I was working at the Bijou they had a love scene that was quite the goods at the Bijou. The hero and the heroine were fine. I told even me, for I used to myself that the actor was setting in some work for himself, and that the lady wasn't averse to it a little bit. Honestly, it softened my heart toward these actor folk. But when the show was over I had another think. They spoke to each other all right, but they spoke in parables, which is another way of saying that their language was expressed in dashes when printed. They mixed up in the dressing-room—actually scratched—and we had to hold them to keep them from doing murder. There was always somebody around after that when they met, because the management didn't want any Police Court prelude. But the next night, just after they tried to go after each other, they went on the stage and the scene was so good that they were fooled into thinking that they had made up. They never did, the man quitting the company two weeks later because he said he couldn't play opposite the star when he'd rather choke than kiss her. You may be fascinated by the tenderness, but just come here with me and watch 'em fight. It has about